

Town of Mansfield

## CONSERVATION COMMISSION

Meeting of 16 December 2009  
Conference B, Audrey P. Beck Building

### MINUTES

*Members present:* Robert Dahn, Quentin Kessel, Scott Lehmann, John Silander.  
*Members absent:* Peter Drzewiecki, Joan Stevenson, Frank Trainor. *Others present:* Bryan Kielbania.

1. The meeting was **called to order** at 7:35p by Chair Quentin Kessel.
2. The draft **minutes of the 18 November 09 meeting** (as revised, 24 November 09) were approved as written.
3. **IWA referrals.** Unfortunately, no Commission member was able to participate in the IWA Field Trip earlier in the day and the only site maps available at the meeting were those in the packet.

**a. W1446 (Kielbania, Mansfield City Rd).** A single-family house is proposed near the site of the old Swanson house on Mansfield City Rd. just NW of its junction with Spring Hill Rd. At its closest point, the proposed house would be about 80¢ from an intermittent stream that drains ponds lying to the west. The septic leaching field, not shown on the map, would be where the Swanson house stood, according to Mr. Kielbania. After some discussion, the Commission agreed unanimously on the following comment (motion: Dahn, Silander):

In the absence of adequate maps, the Commission's ability to comment usefully on the wetland impact of the proposed house is hindered. However, it notes that (a) the house would replace one that previously existed and was closer to wetlands, (b) a stone wall between the proposed house and the stream probably provides some wetland protection, and (c) the plan appears to propose what is possible, given the conformation of this lot.

**b. W1444 (Hillel, N. Eagleville Rd).** The applicant proposes to amend W1437 so that parallel parking behind Hillel House is located on its property. Constructing a sidewalk from this parking area to Hillel would require cutting trees in – and filling a portion of – the small wetland remnant to the west. The Commission agreed unanimously on the following comment (motion: Silander, Kessel):

In the Commission's view, the wetland remnant is probably too small and degraded to retain much wetland functionality and replacing it with a rain garden (as suggested in Grant Meitzler's 12/02 memorandum to the IWA) might even improve the situation. The Commission notes that the pipe recently placed under N. Eagleville Rd is not mentioned in the application; it would appreciate information regarding its purpose.

**c. W1445 (Chernushek, Middle Tpk).** The applicant proposes to amend W1419 to permit removal of 750 cubic yards of gravel. Mining the gravel would lower the level of the horse area about 2¢, exposing a layer of sand that would afford better footing for horses. After reviewing the proposal, the Commission agreed (motion: Kessel, Dahn – Kessel, Lehmann, Silander voting in favor, Dahn abstaining) that:

Removal of 750 cubic yards of gravel from this site is likely to have an impact on wetlands.

**4. 2010 meeting schedule.** In 2010, the Commission will meet as usual in Conference B of the Beck Building on the third Wednesday of each month.

**5. Administrative procedures.** In response to Kessel's question to Matt Hart at the November meeting about the status of the Commission's updated administrative procedures, Mr. Hart writes that "certain sections, particularly section 2, ... might be construed to conflict with the Town Council policy on Communicating Town Positions." (letter of 15 Dec 09) This section (under "Officers & their duties") carries over old language permitting the Commission's Chair to "speak publicly or carry on correspondence in the name of the commission" on matters about which the Commission has taken a position. The policy to which Mr. Hart refers requests that "all advisory boards and staff members submit comments or concerns on issues of town-wide importance to the Town Council or Town Manager and not to State or private parties," (Paterson memo, 3 Feb 00). He suggested that the Commission either rewrite section 2 accordingly or ask the Council to reconsider its policy. Meanwhile, he requested that "official comments to any outside party" be routed through the Council.

There was general agreement that (a) the Commission should pursue a policy change and (b) direct communication with the DEP Commissioner is permitted by section 7-131(c) of the Connecticut General Statutes, regardless of any Town policy or ordinance.

**6. UConn stormwater management.** Kessel's draft comment to DEP Commissioner Marrella on UConn's stormwater management plan, e-mailed to Commission members on 15 Dec 09, was discussed at some length. In the end, Kessel agreed to reorganize the material somewhat and e-mail a revised version to Commission members for approval at the January meeting.

**7. Adjourned** at 9:45p. Next meeting: Wednesday, 20 Jan 10, 7:30p.

Scott Lehmann, Secretary, 19 December 09.

Approved 20 January 10.